

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

* * *

Angelo Ferguson,

Plaintiff,

V.

E.S.P.H.R.P.,

Defendant.

Case No. 2:22-cv-01116-JAD-BNW

ORDER

Plaintiff Angelo Ferguson submitted initiating documents to the Court on July 11, 2022. ECF No. 1. Plaintiff did not pay the filing fee or file an application to proceed *in forma pauperis* (“IFP”). *Id.* Accordingly, the Court ordered him to pay the fee or submit an IFP application. ECF No. 3 Plaintiff recently filed an IFP application, but it is incomplete. ECF No. 11.

Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, an incarcerated plaintiff seeking to proceed without paying the filing fee must complete an application to proceed IFP and attach (1) an inmate account statement for the past six months, and (2) a financial certificate from the institution where he is incarcerated certifying the amount of funds in plaintiff's inmate trust account at the institution. If the plaintiff has been incarcerated at the institution for fewer than six months, the certificate must show the account's activity for the shortened period. LSR 1-2.

Here, Plaintiff's IFP application is incomplete because it does not include an inmate account statement for the past six months or a financial certificate from the institution where he is incarcerated. The Court, therefore, will deny Plaintiff's IFP application without prejudice. Plaintiff must properly complete his IFP application or pay the full filing fee for this action. If Plaintiff chooses to file an IFP application, he must file a complete application including all the documents referenced in this Order.

IT IS THEREFORE ORDERED that Plaintiff's Application to Proceed *In Forma Pauperis* (ECF No. 11) is DENIED without prejudice.

1 **IT IS FURTHER ORDERED** that the Clerk of Court must send Plaintiff a blank
2 application to proceed *in forma pauperis* by an incarcerated individual as well as the
3 accompanying instruction packet.

4 **IT IS FURTHER ORDERED** that by **October 21, 2022**, Plaintiff must either: (1) file a
5 complete application to proceed *in forma pauperis* on the correct form with complete financial
6 attachments, or (2) pay the full \$402 fee for filing a civil action, which includes the \$350 filing
7 fee and the \$52 administrative fee.

8 **IT IS FURTHER ORDERED** that failure to timely comply with this Order may result in
9 a recommendation that this case be dismissed.

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11 DATED: September 23, 2022.

12 
13 BRENDA WEKSLER
14 UNITED STATES MAGISTRATE JUDGE

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